

and referred to a Select committee, consisting of Messrs. Wigfall, Franklin, and Crump.

On motion of Mr. Taylor of Cass, a bill to be entitled an act better to regulate the election of Judges of the Supreme Court, —Senate's bill—was taken up and read first time; rule suspended, read second time and, on motion of Mr. Scott, referred to a Select committee, consisting of Messrs. Scott, Runnels, Shaw, Owen and Williams.

On motion of Mr. Charlton, a bill to be entitled an act for the relief of Benjamin Burke, Senate's bill—was taken up and read first time.

Mr. Scott, by leave, introduced a bill to be entitled an act authorizing the Governor to employ counsel in the Supreme Court of the State in cases where the present Attorney General has been employed; read first time; rule suspended, read second time and ordered to be engrossed; rule further suspended, bill read third time and passed.

On motion of Mr. Patrick, a bill to be entitled an act to repeal a portion of an act to authorize the Commissioner of the General Land Office to issue patents on certificates issued by the Board of Land Commissioners of Robertson county, under certain restrictions, approved February 5, 1850, was taken up, read second time and referred to a Select committee, consisting of Messrs. Patrick, Stapp and Jowers.

Mr. Wigfall moved that the House adjourn until nine o'clock to-morrow morning; lost.

On motion of Mr. Clements, a bill to be entitled an act supplementary to an act to secure to the German Emigration Company, the lands to which they are entitled, originating in the Senate was taken up and read first time; rule suspended, bill read second time and referred to the committee on Private Land Claims.

On motion of Mr. Tarrant, the House adjourned until to-morrow morning ten o'clock.

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AUSTIN, November 26, 1850.

House met pursuant to adjournment—roll called—quorum present.

Absentees—Messrs. Bee, Bryan, Gillet, Russell, Stapp, Wigfall and Winfield.

Journal of yesterday read and adopted.

Mr. Fields submitted the petition of the agent of Robert Clokey, praying the issuance of a duplicate audited draft; referred to the committee on the Public Debt.

Mr. Franklin submitted the petition of Joseph Q. Warnes, praying to be appointed Spanish Translator, etc.; referred to the committee on State Affairs.

Mr. Franklin, chairman of the Judiciary committee to whom was referred a bill to be entitled an act to compel the Judges of the District Court to alternate; reported a substitute for the original bill and recommended its passage.

Report, bill and substitute laid on the table to come up among the orders of the day.

Mr. Franklin, chairman of the committee on the Judiciary, to whom was referred a bill to be entitled an act to regulate Slaves; reported a substitute for the original bill and recommended its passage.

Report, substitute and bill laid on the table to come up among the orders of the day.

Mr. Franklin, chairman of the committee on the Judiciary, to whom was referred the petition of D. Merritt; reported the same back to the House and recommended its indefinite postponement.

Report laid on the table to come up among the orders of the day.

Mr. Franklin, chairman of the committee on the Judiciary, to whom was referred a bill to be entitled an act to regulate the time of the trial of causes in the District Courts, and to provide for the summoning of witnesses on particular days; reported the bill back to the House and recommended its indefinite postponement.

Report and bill laid on the table to come up among the orders of the day.

Mr. Franklin, chairman of the committee on the Judiciary, to whom was referred the petition of the County Court of Bexar County, reported the same back to the House and recommended its indefinite postponement.

Report laid on the table to come up among the orders of the day.

Mr. Franklin, chairman of the committee on the Judiciary, to whom was referred a bill to be entitled an act to authorize the County Clerk of Bexar County to transcribe the records in book A No. 1 into a bound book; reported the same back to the House and recommended its passage.

Report and bill laid on the table to come up among the orders of the day.



Mr. Smith of Shelby, chairman of the committee on Military Affairs made the following report:

COMMITTEE ROOM, November 26, 1850.

To Hon. C. G. KEENAN,

*Speaker of the House of Representatives:*

The committee on Military Affairs to whom was referred the joint resolution for the relief of the heirs of Joseph Rutherford deceased, have had the same under consideration and find from the evidence adduced before the committee that said Rutherford, was a member of Capt. Cary's Company and participated in the storming of Bexar, in 1835, and was afterwards slain in the massacre of the Alamo,—that his wife died in the neighborhood of Joseph Durst's in 1834, leaving one heir only, a female child which was taken and raised by Mrs. Durst, (Carneel Rutherford) now the wife of William Martin, a citizen of Cherokee county, and that said heir of said Rutherford, has never received either donation or bounty land or pay for services of her deceased father; the committee therefore instruct me to report the accompanying bill for her relief in lieu of the joint resolution referred, and recommend its passage. All of which is respectfully submitted.

Report and bill laid on the table to come up among the orders of the day.

Mr. Burney, chairman of the committee on Private Land Claims, to whom was referred a bill to be entitled an act for the relief of Alexander McCulloch, reported the bill back to the House with amendments and recommended its passage.

Report and bill laid on the table to come up among the orders of the day.

Mr. Burney, chairman of the committee on Private Land Claims, to whom was referred the petition of the Heirs of William Gibbs, deceased, reported a bill for their relief and recommended its passage.

Report and bill laid on the table to come up among the orders of the day.

Mr. Burney, chairman of the committee on Private Land Claims, to whom was referred a bill to be entitled an act supplementary to an act to secure to the German Emigration Company and their Colonists the lands to which they are entitled; reported the same back to the House with amendments and recommended its passage.

Report and bill laid on the table to come up among the orders of the day.

Mr. Burney, chairman of the committee on Private Land Claims, to whom was referred the petition of Simon Blythe and

John Hobson ; reported a bill for their relief and recommended its passage.

Report and bill laid on the table to come up among the orders of the day.

Mr. Burney, chairman of the committee on Private Land Claims, to whom was referred the petition of T. M. Plummer; reported a bill for his relief and recommended its passage.

Report and bill laid on the table to come up among the orders of the day.

Mr. Burney, chairman of the committee on Private Land Claims, to whom was referred the petitions of A. D. Rice and H. J. McKinzie ; reported a bill for their relief and recommended its passage.

Report and bill laid on the table to come up among the orders of the day.

Mr. Lott, chairman of the committee on Public Land Claims, to whom was referred a joint resolution for the relief of James M. Riggs ; reported the same back to the House without amendment and recommended its passage.

Report and bill laid on the table to come up among the orders of the day.

Mr. Tarrant, chairman of the committee on Internal Improvements, to whom was referred a bill to be entitled an act to incorporate the Anahuac Canaling and Rail Road Company ; reported the same back to the House without amendment and recommended its passage.

Report and bill laid on the table to come up among the orders of the day.

Mr. Tarrant, chairman of the committee on Internal Improvements, to whom was referred the petition of Jacob Long, praying a charter for the erection of bridges across certain water courses; reported a bill embracing that object and recommended its passage.

Report and bill laid on the table to come up among the orders of the day.

Mr. Jowers, chairman of the committee on Engrossed bills, made the following report, which was accepted.

COMMITTEE ROOM, November 26, 1850.

Hop. C. G. KEENAN,

*Speaker of the House of Representatives:*

The committee on Engrossed bills, have examined an act concerning the Book or Register of land certificates issued by the Board of Land Commissioners for the county of Harris, which was at one time mislaid, but the Book has subsequently been



found and identified as genuine and unaltered; also an act to be entitled an act to legalize a copy of the records in the office of the county surveyor of the county of Washington; also a bill to be entitled an act to amend an act to incorporate the Galveston Ferry Freight and Tow Boat Company; also a bill to be entitled an act for the relief of Stokely D. Choate, and find them correctly engrossed.

Mr. Burney, chairman on the part of the House, of the joint committee on Enrolled bills, made the following report, which was accepted.

COMMITTEE ROOM, November 26, 1850.

Hon. C. G. KEENAN,

*Speaker of the House of Representatives:*

The joint committee on Enrolled bills, have examined a bill to be entitled an act to repeal in part an act entitled an act to incorporate the Trinity Plank Road Company, also an act entitled an act to permanently locate the seat of justice of Denton county, also an act to incorporate the Fayette Academy in the county of Fayette, and find the same correctly enrolled, and having been signed by the Speaker of the House of Representatives and President of the Senate, was this day transmitted to His Excellency the Governor of the State for his approval.

Mr. Scott, chairman of the Select committee, to whom was referred a bill to be entitled an act providing for the election of Judges of the Supreme Court, made the following report:

COMMITTEE ROOM, November 26, 1850.

Hon. C. G. KEENAN,

*Speaker of the House of Representatives:*

The Special committee to whom was referred a bill providing for the election of Judges of the Supreme Court, have had the same under consideration and a majority concurring in the opinion that the requisitions of the constitution are not complied with by said bill, have instructed me to report a substitute for the same and recommend its adoption. The constitution declares that there shall be a Supreme Court, to consist of a Chief Justice and two associates. It cannot be deemed otherwise than manifest from the language of the clause that the Chief Justice constitutes not only part of, but that his office is necessary to the organization and existence of the court, whilst at the same time, it clearly indicates the appointment to be separate and distinct from that of the associates. It was so regarded in the first appointments made under the State organization. It is under that construction that the present incumbents hold their offices, and which there is no room to believe would ever have been doubted, but for the amendment to the constitution which it is believed



only changed as it was intended to do, the mode of their appointment and not the title of the officer nor the tenure of his office.— That it was not intended to reorganise, but merely to provide a new and different mode of election to the then existing system, by leaving it to the popular voice rather than “to the nomination of the Governor, by and with the advice and consent of the Senate,” is clearly expressed in the act of amendment. Then to believe that the offices may be blended together, or that appointments may be made to fill them otherwise than separate and distinct as they are designated by the constitution, would be to sanction the anomalous opinion that the alteration of the constitution, as to the mode of electing had effected, a change in the organization of the whole court, and the consequent repeal or abolition of the original provisions creating it. Thus would the State have placed itself in the miserable dilemma of having abolished the court by the adoption of the “amendment” which only presumes the existence of, and does not pretend to create. Again, your committee cannot with propriety reconcile the opinion that under a fair and full representative system, such as ours, it is better to do indirectly that which is provided for directly in the exercise of the elective franchise. The Chief Justice is an officer created by the constitution, and it is believed the only method of fulfilling its spirit and intention is to elect him as such, as well as that it is the mode only calculated to render satisfaction to the masses upon whose suffrage he must depend for support. A different course to that recommended is well calculated to mingle in doubt and uncertainty that which has been made sufficiently plain and manifest by the act of organization.

Report, bill and substitute laid on the table to come up among the orders of the day.

Mr. Patrick, chairman of the Select committee, to whom was referred a bill to be entitled an act to authorize the Commissioner of the General Land Office to issue Patents on certificates issued by the Board of Land Commissioners of Robertson county under certain restrictions; reported the bill back to the House and recommended its passage.

Report and bill laid on the table to come up among the orders of the day.

Mr. Tarrant, chairman of the Special committee, to whom was referred a bill to be entitled an act authorizing the clerk of the County Courts of Navarro and Tyler counties to transcribe certain documents therein named; reported the same back to the House without amendment and recommended its passage.



On motion of Mr. Tarrant, the rule was suspended; bill taken up and read second time and ordered to be engrossed.

On motion, rule further suspended; bill read third time and passed.

Mr. McKinney, chairman of Select committee, made the following report:

COMMITTEE ROOM, November 25, 1850.

HON. C. G. KEENAN,

*Speaker of the House of Representatives:*

The Special committee, to whom was referred the bill for the relief of the Heirs of Andrew Kent, deceased, have had the same under consideration, and from the evidence introduced we can discover no reason why the relief prayed for should not be granted; the committee have instructed me, therefore, to return the bill without amendment and recommend its passage.

Report and bill laid on the table to come up among the orders of the day.

Mr. McKinney, chairman of Special committee made the following report:

COMMITTEE ROOM, November 25, 1850.

HON. C. G. KEENAN,

*Speaker of the House of Representatives:*

The Special committee, to whom was referred the petition of William H. Parker, have considered the subject and a majority of the committee have directed me to report in favor of the prayer of the petitioner and recommend the passage of the accompanying bill.

Report and bill laid on the table to come up among the orders of the day.

Mr. Jowers introduced a bill to be entitled an act making an appropriation of one hundred and fifty dollars for the payment of J. E. Cravens, Special Judge of the Supreme Court; read first time.

On motion of Mr. Scott, rule suspended; bill read second time and referred to a Select committee, consisting of Messrs. Scott, Jowers and Hendricks.

A message was received from the Senate, through their Secretary, Mr. Raymond, informing the House that the Senate had passed a bill to be entitled an act for the relief of William P. Wyche and the legal representatives of Peter A. Duell; also a bill to be entitled an act for the relief of William C. Anderson; and that the Senate had adopted a substitute for the bill to be entitled an act to amend the second and seventh sections of an act to organize the Supreme Court of the State of Texas, etc.



Mr. Crump introduced a bill to be entitled an act allowing to the widow of William G. Cooke the balance of pay due him as Commissioner to Santa Fe, and for services as acting Quarter Master General in the Somervell campaign; read first time; rule suspended; read third time and referred to the committee on Public Debt.

The committee on the Public Debt, to whom was referred a bill for the relief of George W. Wright and others; reported the same back to the House with an amendment and recommended its passage.

Report and bill laid on the table to come up among the orders of the day.

Mr. Stapp, chairman on the part of the House of the Joint Select committee, who was instructed to enquire into the amount and character of the Public Debt of the late Republic of Texas, made the following report:

The joint select committee of the two Houses, to whom was referred a resolution instructing said committee to report the amount of the public debt, and a bill requiring the creditors of the State to file releases at the Comptroller's Office, against the United States, for all said debts for which the duties on imports were specially pledged; have duly considered the same, and have instructed me to report that they have procured from the Comptroller and Auditor, a statement showing the amount actually ascertained, together with the estimated amount of the unascertained debt, which statement is submitted as a part of this report.

The committee find, upon an examination of the statutes of the Republic of Texas, that the only and whole amount for which duties on imports were specially pledged, is the interest on the funded debt, created by an act of the Congress of the Republic of Texas, on the seventh day of June, 1837.

The committee deem it proper to remark that there is a class of claims which has been presented at the Auditor's office for spoliations, for property taken and destroyed by both the enemy and our own army during our revolution, upon which no action has been taken by the Auditorial board, and the limited time allowed the committee for the discharge of the duty imposed upon them, has prevented a thorough examination into said class of claims; they therefore, leave this class to be disposed of by future legislation, without any expression of opinion on their part.

The list of persons owning consolidated stock, created by act of the 7th June, 1837, which was classified by the Auditor and Comptroller at 70 cents on the dollar, and which should be



allowed at par, as shown in the report of the Comptroller and Auditor, and marked "E," we are induced to believe are a special class, and in the opinion of a majority of the committee, should be paid at par; but for the want of time to examine each individual claim, the committee would recommend that the same be passed over for the present, subject to future legislation.

In conclusion, the committee report herewith a bill and recommend its passage. All of which, is respectfully submitted.

J. B. ROBERTSON, Chairman  
on part of the Senate.

D. M. STAPP, Chairman  
on part of the House

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*STATEMENT of the class and amount of debt of the late Republic of Texas, filed and receipted for by the Auditor and Comptroller to the 20th of November, 1850, under the provisions of an act approved March 20th, 1848.*

FIRST CLASS.

	Ostensible value of filed debt.	Rate.	Par value of filed debt.
10 per cent. Consolidated fund, created by act of June 7, 1837,	\$580,787 69	70cts.	\$406,551 38
10 " " Consolidated fund, issued to Swartwout and others,	6,363 50	100cts.	6,363 50
10 " " Bonds issued by Commissioners under the five million loan acts,	653,287 00	various.	497,953 50
10 " " Stock issued under act of February 5th, 1840,	711,800 00	30cts.	213,540 00
8 " " Stock issued under act of February 5th, 1840,	23,780 00	30cts.	7,134 00
8 " " Treasury Bonds,	656 100 00	20cts.	131,220 00
10 " " Treasury notes, 1st issue,	33,670 00	100cts.	33,670 00
10 " " do. 2d do.,	307,139 00	50cts.	153,569 50
Treasury notes not issued to bear interest,	1,640,248 00	25cts.	410,062 00
Audited paper,	59,956 09	various	55,259 46
Miscellaneous,	41,087 73	100cts.	41,087 73
Total ostensible and par principal, Interest to 1st July, 1850, on such of the above liabilities as were issued to bear an interest,	\$4,714,219 01		\$1,956,411 07
	2,407,447 69	various.	1,229,668 50
Total ostensible & par value of principal and interest of liabilities receipted for of first class,	\$7,121,666 70		\$3,186,079 57
Amount of Civil, Military and Naval claims audited, (known as 2d and 3d class claims.)	475,533 60		409,370 28
Amounts audited by special acts of the Legislature,	72,077 15	100cts.	72,077 15
Total amount of ostensible and par value of principal and interest receipted for to November 20th, 1850,	7,669,277 45		3,667,527 00
Amount of claims on file not yet receipted for,	103,000 00	100cts.	103,000 00
Total ostensible and par value of principal and interest of all claims filed or receipted for to 20th Nov., 1850,	\$7,772,877 45		\$3,770,527 00



*STATEMENT showing the amount and class of debt outstanding, or which has not been filed with the Auditor and Comptroller, under the act of March, 1848, together with the rate at interest which the same was available on a par basis.*

**BONDS ISSUED UNDER THE FIVE MILLION LOAN ACTS.**

	Ostensible value of unfilled debt.	Rate.	Par value of unfilled debt.
Amount claimed by F. Dawson and others, for Naval vessels furnished, Interest on the above to 1st July, 1850,	\$560,000 00 651,000 00		
Ostensible and par value of principal and interest,	\$1,211,000 00	50cts.	\$605,500 00
Balance of interest due to 1st July, 1850, on the bonds issued to the bank of the United States, which bonds have been already filed and included in the preceding statement of claims filed,	45,738 00	87 9-20c.	40,000 00
Balance of interest to 1st July, 1850, on the bonds issued to James Holford and associates, for steamship Zavala, which bonds have been already filed and included in preceding statement of claims filed,	19,590 70	50cts.	9,795 35
Total ostensible and par value of principal and interest of above bonds under the five million loan acts not filed,	\$1,276,328 70		\$655,295 35

*Treasury Notes, Stock Bonds, &c., which have not been filed under provisions of an act of March, 1848.*

	Ostensible value.	Rate.	Par value.
10 per cent. Consolidated fund, created by act of June 7, 1837,	231,059 00	70cts.	161,741 30
10 " " Consolidated fund issued to Swartwout and others,	7,584 82	100cts.	7,584 82
10 " " Treasury Notes, 1st issue,	16,330 00	"	16,330 00
10 " " " " 2d "	62,861 00	50cts.	31,430 50
" " " " 3d "			
not bearing interest,	437,298 00	25cts.	109,324 50
8 & 10 per cent. Stock issued under act of Feb. 5, 1840,	81,420 00	30cts.	24,426 00
8 " " Treasury bonds,	180,780 00	20cts.	36,156 00
Audited paper,	271,697 61	100cts.	171,697 61
Total ostensible and par value of above liabilities outstanding,	1,289,030 43		658,690 73
Amount of interest on above liabilities, issued to bear interest to July 1, 1850,	498,361 54	various.	242,568 08
Total ostensible and par value of principal and interest of above liabilities outstanding,	\$1,787,391 97		\$901,258 81



## UNAUDITED CLAIMS.

	Ostensible value.	Rate.	Par value.
Probable amount of Civil, Military and Naval claims, to be yet filed and audited,	\$1,485,844 92		\$1,485,844 92

## RECAPITULATION OF OUTSTANDING DEBT.

	Ostensible value.	Rate.	Par value.
Bonds issued under the five million loan acts, principal and interest,	1,276,328 70	various	655,295 35
Treasury notes, Stock bonds, &c., principal and interest,	1,787,391 97	"	901,258 8
Unaudited claims,	1,485,844 92		1,485,844 91
Total outstanding of principal and interest of all classes of debt,	\$4,549,565 59		\$3,042,399 08

*General Recapitulation of the entire Debt, filed and unfiled.*

	Ostensible value.	Rate.	Par value.
Debt filed of all descriptions as above shown, principal & interest,	7,772,877 45	various.	3,770,527 00
Debt outstanding, of all descriptions as above shown, principal and interest,	4,549,565 59	various.	3,042,399 00
Total ostensible and par value of debt of all descriptions, filed and unfiled,	\$12,822,443 04		\$6,812,926 00

COMPTROLLER'S OFFICE, }  
Austin, Nov. 21, 1850. }

JAMES B. SHAW, *Comptroller.*  
JOHN M. SWISHER, *Auditor.*

A bill to provide for the adjustment of the Public Debt of the late Republic of Texas. Read first time.

Report and bill laid on the table to come up among the orders of the day.

On motion of Mr. Scott, the rule was suspended and the bill just reported by the Joint Select committee taken up and read a second time.

Mr. Wigfall offered the following as a substitute for the bill reported by the committee.

Mr. Sterne moved that one hundred copies of the bill and substitute be printed for the use of the House.

Mr. Shepard moved a division of the question to print; carried.

The question was then taken upon printing one hundred copies of the original bill; which was carried.

The question next in order was the printing of one hundred



copies of the substitute, offered by Mr. Wigfall; which was also put and carried,

On motion of Mr. Dickson the House adjourned until three o'clock p. m.

3 O'CLOCK P. M.

House met pursuant to adjournment—roll called—quorum present.

Mr. Crump introduced a bill to be entitled an act to authorize the Governor to call out volunteers for frontier defence; read first time.

On motion, rule was suspended, bill read second time and referred to the committee on Military Affairs.

Mr. Burney introduced a bill to be entitled an act to authorize Bartlett Sims, assignee of Martha Barker, to float a certain survey; read first time; rule suspended, bill read second time, and referred to the committee on Private Land Claims.

Mr. Jowers by leave, introduced the petition of Solomon Albright, praying for relief; referred to the committee on Private Land Claims.

Mr. Jowers submitted the petition of sundry citizens of Houston and Cherokee counties, praying a charter for canaling purposes; referred to committee on Internal Improvements.

Mr. Fields offered the following resolution:

*Resolved*, That no private relief bill shall be taken up out of its regular order except by unanimous consent of the House; read and adopted.

Mr. Fields introduced a bill to be entitled an act for the relief of Jacob Shaw, administrator, etc., read first time; rule suspended, read second time, and referred to committee on Private Land Claims.

Mr. Patrick introduced a bill to be entitled an act to confirm certain titles therein named, to Joseph Harlan; read first time; rule suspended, bill read second time, and referred to the committee on Private Land Claims.

Mr. Patrick introduced a bill to be entitled an act to incorporate the Arodelphia Academy; read first time; rule suspended, read second time and referred to the committee on Education.

Mr. Patrick introduced a bill to be entitled an act to amend an act, approved August 23rd, 1850, entitled an act to amend the second section of an act, to define the time of holding the courts in the several Judicial Districts, etc.; read first time; rule suspended, read second time, and referred to the Judiciary committee.

Mr. Smith of Shelby introduced a bill to be entitled an act to



incorporate the Shelby University; read first time; rule suspended, read second time, and ordered to be engrossed.

A message was received from the Senate, through their Secretary, Mr. Reymond, informing the House that the Senate had passed a bill to be entitled an act for the relief of William A. Burns.

On motion of Mr. Jowers, the vote just taken upon the adoption of the resolution declaring that the House would take up no private relief bill out of the regular order, was reconsidered by a vote as follows:

Yeas—Messrs. Speaker, Bogart, Burney, Charlton, Clements, Cochran, Crump, Franklin, Hendricks, Jowers, Lewis, Patrick, Polk, Russell, Shea, Smith of Red River, Stapp, Sterne, Tarrant, Taylor of Harrison and Wren—21.

Nays—Messrs. Bryan, Dickson, Fields, Gillet, Hardeman of Nacogdoches, Hardeman of Travis, Holland, Hunt, Johnson, Lloyd, McKinney, Owen, Runnels, Selman, Shaw, Smith of Shelby, Speights, Taylor of Cass and Williams—19. So the vote was reconsidered.

Mr. Sterne then moved to lay the resolution on the table, upon which the yeas and nays were called for and stood as follows:

Yeas—Messrs. Bogart, Burney, Charlton, Clements, Cochran, Crump, Franklin, Hendricks, Hunt, Jowers, Lewis, Polk, Russell, Shea, Smith of Red River, Smith of Shelby, Speights, Stapp, Sterne, Tarrant, Taylor of Harrison, Wigfall and Wren—23.

Nays—Messrs. Speaker, Bryan, Dickson, Fields, Gillet, Hardeman of Nacogdoches, Hardeman of Travis, Holland, Johnson, Lloyd, McKinney, Owen, Patrick, Runnels, Selman, Shaw, Taylor of Cass and Williams—18. So the resolution was laid on the table.

On motion of Mr. Tarrant, the House proceeded to take up the business on the Speaker's table and to the orders of the day.

A bill to be entitled an act for the relief of Luanner Ward—from the Senate—was taken up and read first time.

Mr. Charlton moved to suspend the rule in order to place the bill upon its second reading, upon which the yeas and nays were called for and stood as follows:

Yeas—Messrs. Speaker, Bogart, Bryan, Burney, Charlton, Cochran, Dickson, Gillet, Hardeman of Travis, Hendricks, Holland, Johnson, Lewis, Lloyd, Lott, Owen, Patrick, Polk, Russell, Selman, Smith of Red River, Smith of Shelby, Speights, Sterne, Tarrant, Taylor of Cass, Taylor of Harrison and Wren—28.

Nays—Messrs. Clements, Fields, Franklin, Hardeman of Nacogdoches, Hunt, Jowers, McKinney, Runnels, Shaw, Stapp,



Wigfall and Williams—13. It requiring a vote of four-fifths to suspend the rule, the motion was lost.

A bill to be entitled an act for the relief of M. W. B. Armstrong—from the Senate—read first time.

A bill amendatory of an act to create the county of Freestone—from the Senate—read first time.

A bill to be entitled an act for the relief of Benjamin Burke—from the Senate—read second time; and, on motion of Mr. Williams, referred to the committee on Private Land Claims.

A joint resolution, refunding to Major Wm. S. Henry, the fine imposed upon him by sentence of a court martial in the ninth military department of the United States Army—from the Senate—read first time.

A bill to be entitled an act appropriating \$10,000 or as much thereof as may be necessary, for the payment of the mileage and per diem pay of the members of the second extra session, third Legislature—read third time and passed.

A bill to be entitled an act to amend the first section of an act entitled an act to incorporate the Galveston and Brazos Navigation Company—read third time and passed by constitutional majority—yeas 36—nays 3.

A bill to be entitled an act to locate the seat of justice of Kaufman county—from the Senate—read first time.

A bill to be entitled an act for the relief of Lewis Monroe Mays (a minor)—from the Senate—read first time.

A bill to be entitled an act to authorize the employment of a State architect—from the Senate—read first time.

A bill to be entitled an act requiring the Commissioners appointed by an act entitled an act creating the county of Hunt, approved April 11, 1846, to deliver up certain documents, and surveys therein mentioned—from the Senate—read first time.

Mr. Hendricks moved a suspension of the rule in order to take up a bill to be entitled an act organizing the Supreme Court, etc; lost.

A bill to be entitled an act to prescribe the time of holding the District Courts in the 11th judicial district—from the Senate—read first time.

Mr. Wren moved to take from the table and place among the orders of the day a bill to be entitled an act for the relief of Samuel T. Sheffield; carried.

A bill to be entitled an act for the relief of John Beeman, John S. Beeman and James J. Beeman—from the Senate—read first time.

Resolution of the Senate proposing to adjourn *sine die* on the



second of December next; read, and on motion of Mr. Jowers, laid on the table for the present.

Mr. Jowers, chairman of the committee on Engrossed Bills, made the following report, which was accepted:

COMMITTEE ROOM, November 26, 1850.

Hon. C. G. KEENAN.

*Speaker of the House of Representatives:*

The committee on Engrossed Bills, have examined a bill to be entitled an act for the relief of certain persons therein named; also, an act to authorize the clerk of the county court of Navarro county, and the county clerk of Tyler county to transcribe into a bound book severally, to be procured by them for that purpose, all the records and title papers hereinafter mentioned, requesting, by the said county clerks; also, an act authorizing the Governor to employ counsel in the Supreme Court of the State in cases where the present Attorney General has been employed; also, a bill regulating the pay of certain volunteers who served in 1842; also, an act for the relief of Reuben R. Brown; also a bill to be entitled an act for the relief of Thomas J. Jordon; also, a bill to be entitled an act granting one league and labor of land to Brevet Major William S. Henry, of the United States Army, and find the same correctly engrossed.

A bill to be entitled an act to incorporate the town of Shelbyville in the county of Shelby—originating in the Senate—read first time.

A joint resolution for the relief of Daniel Parker, jr.—Senate bill—read second time, and referred to a select committee consisting of Messrs. Jowers, Bogart and Russell.

A bill for the relief of Zachariah N. Morrell; read second time, and ordered to be engrossed.

A bill to be entitled an act to incorporate the Trinity and Galveston Navigation Company; read second time.

Mr. Cochran offered the following amendment, "provided however, that nothing herein contained shall be so construed as to give to said company an exclusive privilege to navigate said river; adopted. On motion the bill was ordered to be engrossed.

A bill to be entitled an act to amend an act entitled an act to incorporate the city of New Braunsfels; read second time, and ordered to be engrossed.

Mr. Jowers chairman of the committee on Engrossed Bills, made the following report, which was accepted:

COMMITTEE ROOM, November 26, 1850.

Hon. C. G. KEENAN,

*Speaker of the House of Representatives.*

The committee on Engrossed Bills have examined an act to



incorporate the Brazos and Bernard Railway and Plank Road Company, and find the same correctly engrossed.

A bill to be entitled an act for the relief of the heirs of Mary Ann Smith deceased ; read second time, and referred to the committee on Private Land Claims.

On motion of Mr. Burney, Mr. Patrick was added to the committee on Private Land Claims.

A bill to be entitled an act for the relief of John M. Taylor ; read second time, and referred to the committee on Private Land Claims.

A bill to be entitled an act to authorize the Executive Board of Managers of the Masonic Female Institute to confer degrees, with the amendments of the committee on Education ; amendments adopted, and bill as amended ordered to be engrossed.

A bill to be entitled an act to authorize the Commissioner of the General Land office to issue patents to the heirs of Simon Gillam and John Smith ; read second time, and ordered to be engrossed.

A bill to be entitled an act to incorporate the Waco Male and Female Academy in the county of McLennan ; read second time, and ordered to be engrossed.

A joint resolution for the relief of John C. Walling ; read second time, and ordered to be engrossed.

On motion of Mr. Hardeman of Travis, the House adjourned until ten o'clock to-morrow morning.

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AUSTIN, November 27, 1850.

House met pursuant to adjournment—roll called—quorum present.

Absentees—Messrs. Bee, Hardeman of Travis, Lewis, Reynolds and Winfield.

Journals of yesterday read and adopted.

Mr. Owen submitted the petition of the heirs of J. F. Ailes, praying the payment of stipulated interest on a bill of exchange ; referred to the committee on Finance.

Mr. Bryan, chairman of the committee on Education made the following report :

COMMITTEE ROOM, November 27, 1850.

Hon. C. G. KEENAN,

*Speaker of the House of Representatives :*

The majority of the Education committee, to whom was refer-